1942. File No. B. Ferries/42

Legal DEPARTMENT

B BRANCH

K

Subject:—

P-22/F

Governor's Bill No. XX of 1942

A Bill to amend the

Bombay Ferries Act, 1868.

(Amendt. of Ss. 14 & 14B)

Bom. XXI of 1942

File No. B. Ferries/42

Std. Sectt. Slip 21 B c.

Bom. XXI of 1942 55-2-B

C O N T E N T S.

Legal Department File No. B. Ferries /42.

Sr. No.	Compilation No.	Subject	Pages
		A Bill to amend Bom. Ferries Act. 1865	
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2.	U.R. to P.W.D. No. 2154 dt. 24/2/39	s. 14 Amendment of Draft Bill for.	17
3.	U.R. to P.A Sp. No. 7862 dt. 11-11-40	Amedment of the Act.	19-25
4.	U.R. to P.W.D. No. 1 dt. 3.1.42	Revise Draft Bill	1-31
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Section 14(1) of the Bombay Ferries Act, 1888(Bom. II of 1863), provides that no person shall convey on hire any passenger etc. across any creek or river to any point on the opposite shore or bank. It is proposed to add the words 'lakes and tanks'. A lake or a tank will have more than two banks. It would not do merely to prohibit the conveyance of passengers etc. from any point on the one shore to any point on the opposite shore. It will be necessary to provide for the same and adjacent shores or banks also. It appears desirable to amend section 14B also on the same lines as section 14. A revised draft Bill and S.O.R. are accordingly appended.

2. The Bill does not require any sanction or recommendation or affect any special responsibility of the Governor.

S.C. J.P.Dharandhar.

Remembrancer of Legal Affairs.

U.O. to P.W.D.No. 2154, dated the 24th February 1939.

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I think the easiest way to achieve the object in view will be to amend the Bombay Ferries Act, 1888. There are at least 5 Acts which apply to different kinds of vessels and consequently the new Act will in any case not be self-contained. The amendments in the Ferries Act may be on the following lines:-

"The Bombay Coasting Vessels Act, 1838 The Indian Ports Act, 1908, The Inland Steam Vessels Act, 1917, The Indian Merchant Shipping Act, 1923, and The Bombay Ferries Act, 1888.

2. The preamble may be amended in order to make it clear that it applies not only to public ferries but also to other vessels plying on water. After the word "ferries" in the preamble, the words "and other vessels" may be inserted.

3. The following four new sections may be inserted after section 143.:-

"140. No person shall ply any vessel on any creek, river or other navigable water in the Province of Bombay, whether for hire or not, except under a license granted by an officer empowered by the Provincial Government in this behalf and except in accordance with the provisions of this Act, the rules, regulations and orders made thereunder and the conditions of such license.

"140. Any Magistrate or police officer, not below the rank of a sub-Inspector, or any officer specially empowered by the Provincial Government in this behalf may board and inspect any vessel for the purpose of satisfying himself that the provisions of this Act, the rules, regulations and orders xx made thereunder and the conditions of the license issued in respect of such vessel are duly observed. If such officer is of the opinion that the vessel is not seaworthy or is insufficiently equipped or is in such a condition that its plying may cause danger to human life or safety, he may suspend the license issued in respect of such vessel and such vessel shall not thereafter be

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plied until the order suspending the licence has been can
or a fresh licence has been issued in respect of such vessel.

"14E. If any Magistrate or any police officer, not below ~~by the Provincial Government in this~~ the rank of a sub-Inspector, or any officer specially empowered by the Provincial Government in this behalf is at any time of the opinion that in order to avert any accident or danger to human life or safety, it is necessary to take action under this section, such officer may by order prohibit the plying of any vessel, class of vessels or of vessels generally on any creek or river, within the limits of his jurisdiction, during such period as may be specified in the order.

"14F" Any person who plies any vessel in contravention of, or who commits a breach of, any of the provisions of this Act, the rules, regulations and orders made thereunder or of the conditions of any licence granted under section 14C, shall be liable to imprisonment which may extend to 6 months or to fine which may extend to one thousand rupees or both.

Explanation.- If the provisions of this Act, the rules, regulations and orders made thereunder or of the condition of the licence granted under this Act are contravened in respect of any vessel, both the owner and the person in charge of such vessel shall be deemed to have contravended such provisions and shall be ~~guilty~~ personally liable for the same."

4. After section 17, the following new sections shall be inserted:-

"17A. (1) The Provincial Government may, after previous publication, make rules for the purpose of carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing provisions, such rules may be made for all or any of the following purposes, namely:-

(a) licensing and regulating vessels, plying whether for hire or not, in any creek, river or other navigable water in the Province of Bombay and prescribing the officers by whom and the conditions

on which licenses for plying such vessels may be granted, suspended or revoked and the fees payable in respect of such licenses;

(b) Determining the number of passengers, carts, carriages, animals or the quantity of goods that may be carried in such vessels;

(c) regulating the carriage and exhibition of lights by such vessels;

(d) prescribing the fares which may be charged for the carriage of passengers, carts, carriages, animals or goods in such vessels;

(e) regulating the conduct of passengers in such vessels

(f) prescribing the ~~xxx~~ equipment and the number of the crew which must be on board any such vessel when it is plying, and

(g) generally for securing the safe, speedy and convenient carriage and landing of passengers and cargo in such vessels.

(3) The District Magistrate may, from time to time, ~~xxx~~ regulations, not inconsistent with the provisions of this Act and the rules thereunder, for regulating the plying of vessels on any creek or river, within the limits of his jurisdiction, and for the ~~xxx~~ safe, speedy and convenient carriage and landing of passengers in such vessels.

"17B. In this Act, "~~xxx~~ Vessels" shall include anything ~~xxx~~ made for the conveyance by water of human beings or of property.

"17C. Nothing in sections 14C to ~~and~~ to 14F and 17A and 17B shall apply to any vessel plying on tidal waters or in any major port or to any inland steam vessel and as defined in sub-section (1) of section 2 of the Inland steam Vessels Act, 1917."

5. A Consequential amendment wil be necessary in section 16. This may be as follows:

"In section 16, after the word "Ferries" the words "and Vessels" shall be inserted."

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6. As a result of the above amendments, section 4- will have to be deleted and section 14A will have to be suitably amended.

7. If the Political & Services Department agrees that the Bombay Ferries Act, 1865 should be amended by a Governor's Act on the abovelines, that Department is requested to obtain the orders of the Adviser concerned and His Excellency under the Rules of Business. (P. & S.D.Circular No. 996/34, dated the 3rd September 1938). The papers may then be sent to this Department for drafting a Bill in proper form. A copy of this opinion has been sent to P.W.D. as that Department is also considering certain amendments to Bombay Ferries Act.

Q.C. Sd/-J.T.Dubashar.

11/11

Remembrancer of Legal Affairs.

U.R. to P.& S.D.No. 9862, dated 11th November 1940.

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Office of the R.L.A.

A revised draft Bill is appended.

2. Clause 4 of the Public Works Department draft Bill (P.153 ante):

In the proposed new section 14A for the words "without the special license of the Provincial Government" in the P.W.D. draft clause, the words "without a special license granted by an officer empowered by the Provincial Government in this behalf" and for the words "any river or creek" the words "any river, stream, creek, tank, lake or other collection of water affording passage for a vessel" have been substituted, on the lines of the wording used in new section 14C. The words "goods or other things" would in new section 14C include carts, carriages, palanquins and dulis" and these words have therefore been omitted in the revised clause.

3. Clause 5 of the P.W.D. draft Bill: In the amendment to sub/section (1) of section 14B provided for in this clause, the words "any river, stream, creek, tank, lake or other collection of water affording passage for a vessel" have been substituted for the words "any creek, river, tank or lake" used in the said amendment in the P.W.D. draft clause. A consequential amendment has been made in sub-section (2) of the section by substituting the word "vessel" for the word "boat".

4. Clause 6:(i) In the new section 14E for the words "creek or river" in the P.W.D. draft clause, the words "river, stream, creek, tank, lake or other collection of water affording passage for a vessel" have been substituted in the revised draft clause.

(ii) The provision regarding com-andeering has been inserted by way of a separate sub-section (2) in the section. P.W.D. should consider whether any compensation should be paid for requisitioning vessels.

(iii) The new section 14F provides a penalty for contravention of the provisions of the Act. The penalty provided in this section will operate only in regard to

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those provisions of the Act for which no penalty is separately provided in the Act. This has been made clear in the revised draft of the section.

(iv) The explanation to section 14F in the P.W.D. draft clause provided that if the provisions of the Act etc. are contravened in respect of any vessel, both the owner and the person in charge of the vessel shall be deemed to have contravened such provisions and shall be personally liable for the same. The provision contained in this explanation should be applicable in case of contravention of all provisions of the Act. An provision has, therefore, been inserted in a separate section, section 14G in the revised draft Bill.

5. Clause 7.- (i) Section 17A(3): This gives power to the District Magistrate to prescribe that persons etc. shall be carried free. P.W.D. should verify whether this provision is to be retained in the Bill. The provision was suggested in para. 8 of P.W.D. office note at page 169 but no orders appear to have been passed on this point, see D.S's note one page 170.

(ii) The new section 17C has been amended so as to provide that nothing in sections 14A and 14B also shall apply in respect of conveyance of any vessel plying on sea or on tidal waters or in any major port. The provision is necessary as under the Government of India Act, such matters would fall within the Federal Legislative List. (See entries 21,22 and 26 of the Federal Legislative List).

(iii) Section 17C as revised also exempts vessels licensed under section 6 of the Indian Ports Act from the provisions of the Ferries Act. P.W.D. should verify whether this provision is suitable.

6. The draft Statement of Reasons at page 181 ante as amended is legally in order.

7. The revised draft Bill may be sent to the administrative department concerned of the Government of India with reference to their H.D. letter No. 57/39-Judicial dated 18th December 1940 addressed to the Government of Bombay in

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the Home Department on the cunject regarding common policy in regard to legislation in the Concurrent Legislative field. In view of the instructions contained in Sec. C's Memorandum No. 201(12) dated 2nd July 1941 the draft Bill should not be published for eliciting public opinion before the concurrence of the Governor General has beenobtained. The correspondence in this connection is conducted by the Secretary to the Governor and the papers will have therefore to be referred by the P.W.D. to him for this purpose in due course. After the Governor General's concurrence is received it will be for the P.W.D. as the administrative department concerned to publish the draft Bill for eliciting public opinion. At the time of forwarding the papers to this department for obtaining the assent of the Governor General to the Bill the P.W.D. should sent to this department 20 copies of the Bill, 16 priated on white paper and 4 printed on blue paper, with the statement attached to it (vide Sec. C's Memo. No. 201(12) dated 4th August 1941).

C.C sd/- P.N.Rees.
23/12.

Remembrancer of Legal Affairs.

U.O. to P.W.D.No. 1 dated the 3rd Jan. 1942.

S.A.K.
4/5/56.

The last 3 lines in section 142(2) at p. 211 ante may be recast as under:-

"When any Magistrate or officer requisitions the use of any vessel or other property for any peri d, there shall be paid to the person deprived of it for the period such amount of compensation as may be determined by the Magistrate or officer. The decision of the Magistrate or the officer regarding the amount of compensation and the person to whom such compensation is payable shall be final."

It is not necessary nor appropriate to provide in the Bill that the Magistrate or officer shall point out the source from which the compensation should be paid. The Bill will be got reprinted by the Legal Department and submitted for the assent of the Governor-General after the P.W.D. approves the change suggested above.

Sd/- P.M.Rees.
21/9

Remembrancer of Legal Affairs.

U.O. to the P.W.D. No. 7620, dated the 22nd September 1942.

S.A.E.
4/5/56/

Legal Department.
Bombay Castle, 21st October 1942.

From

P.K.Moos, Esquire, Bar-at-Law, I.C.S.,
Secretary to the Government of Bombay.

To

The Secretary to the Governor of Bombay.

Subject:- A Bill to amend the Bombay Ferries Act, 1865

Sir,

With reference to your Memorandum No. 201(63) dated the 13th June 1942, addressed to the Public Works Department, on the above subject, I am directed to forward herewith a copy of the Bill to amend the Bombay Ferries Act, 1868, prepared by His Excellency the Governor of Bombay under paragraph (2) of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935.

2. None of the provisions of the Bill affects any special responsibility of the Governor under section 52(1) of the Government of India Act, 1935, or falls within the purview of clause (a),(b),(c) or (d) of paragraph XVII of the Instrument of Instructions to the Governor of Bombay.

3. The subject matter of the Bill falls under entries 18 37 and 54 in the Provincial Legislative List and entries 32,36 and 1 in the concurrent Legislative List in the Seventh Schedule to the Government of India Act, 1935.

4. The provisions of clauses 3 to 7 are repugnant to the existing provision contained in sections 14 to 14B of the Bombay Ferries Act, 1868, which is an existing Indian Law relating to entry 32 in the Concurrent Legislative List. The Bill will have therefore to be reserved for the consideration of the Governor General with reference to paragraph (2) of the Proclamation and and section 107(2) of the Government of India Act, 1935.

5. I also forward herewith six spare copies of the Bill out of which five copies are for transmission to the Secretary to the Governor General (Public)

Your obedient servant
Sd/- P.K.M.
20/10
Secretary to the Government of Bombay
Legal Department.

Though The Secretary to the Government of the Bombay. S.A.K.
Public Works Department.

Legal Department.

The Bill to amend the Bombay Ferries Act. 1865. has been forwarded separately through the Public Works Department to the Secretary to the Governor for obtaining the assent of His Excellency the Governor General to the Bill.

2. A draft notification under section 92(1) of the Government of India Act. 1935. for applying the proposed Act to the partially excluded areas in this Province is furnished herewith. If it is decided to apply the Act to the said areas. the notification should be published in the Bombay Government Gazette on or after the date on which the Act will be published in the Bombay Government Gazette.

3. Attention of the Public Works Department is requested to this Department Circular No. 7627 dated the 29th August 1941. Orders of Government on the question of application of the Act to the partially excluded areas in this Province should have obtained and communicated to this Department at the time of forwarding the papers for obtaining assent to the Bill.

Sd/- S.N.D.
20-10

Read for Secretary to Government

U.R. to P.W.D.No. 5523 dated the 21st October 1942.

S.A.K.
4/5/56.

NOTIFICATION.

Public Works Department.

Bombay Castle, 1942.

No. :- In exercise of thepowers conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor of Bombay is hereby pleased to direct that the Bombay Ferries (Amendment) Act, 1942 (Bom. of 1942) shall apply to the partially excluded areas in the Province of Bombay.

Government of India Act, 1935.

*To be inserted by P.W.D. before issue.

By order of the Governor of Bombay ,

Secretary to Government.

S.A.K.

4/5/56.

No. 201(63)
Office of the Governor's Secretary.
Government House.
Bombay 27th November 1942.

From

J.B.Irwin, Esquire, CIE. DSO. MC. ICS.
Secretary to the Governor of Bombay.

To

The Secretary to Government.
Legal Department. Bombay.

Subject. The Bombay Ferries (Amendment) Bill, 1942.

Sir,

With reference to your letter No. 8527, dated the 21st October 1942, on the above subject, I am directed to forward herewith the copy of the Bombay Ferries (Amedment) Bill, 1942, with His Excellency the Governor-General's assent signified thereon.

Your obedient servant,

Sd/-

for Secretary to the Governor of Bombay.

S.A.K.
4/5/56.

Publication of the Bombay Ferries (Amendment) Act, 1942.

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No. 9626.
Bombay Castle, 1st December 1942.

Letter to the Secretary to the Governor, No. 8527, dated the 21st October 1942.

Letter from the Secretary to the Governor, No. 201(63), dated the 27th November 1942.

"With reference to your letter No. 8527, dated the 21st October 1942, on the above subject, I am directed to forward herewith the copy of the Bombay Ferries (Amendment) Bill, 1942 with His Excellency the Governor General's signified assent signified thereon."

RESOLUTION:- The law should be published as Bombay Act No. XXI of 1942, in the Bombay Government Gazette dated the 2nd December 1942.

2. The Act should be translated into Marathi, Gujarathi, Kanarese and Hindustani (in Urdu and Devnagari scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the Public Works Department.

By order of the Governor of Bombay,

Sd/- S.L. Chaudhari

For (P.N.Moos,
(Secretary to Government.

To.

The Manager, Government Central Press, Bombay (with a copy of the Act and with a request that 15 Gazette copies of the Act may be forwarded to the Legal Department).

The Public Works Department.) With a
*The Oriental Translator to Government.) copy of
The Secretary to the Bombay Legislative Council.) the
The Secretary to the Bombay Legislative Assembly.) Act.

*With five extra copies.

S.A.K.
4/5/56.

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Registered No. B-1

The
Bombay Government Gazette

PUBLISHED BY AUTHORITY

WEDNESDAY, 2ND DECEMBER 1942.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV

(1) Acts of the Local Legislature of the Bombay Province and (2) Acts of the Indian Legislature assented to by the Governor General.

CONTENTS.

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The following Act made by the Governor of Bombay in exercise of the powers vested in him by virtue of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, having been assented to by the Governor General on the 21st November 1942 is hereby published for general information.

P. N. MOOS,
Secretary to the Government of Bombay,
Legal Department.

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BOMBAY ACT No. XXI OF 1942.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette" on the 2nd December 1942.)

An Act to amend the Bombay Ferries Act, 1868.

WHEREAS it is expedient to amend the Bombay Ferries Act, 1868, for the purposes hereinafter appearing; Bom. II of 1868.

AND WHEREAS the Governor of Bombay has assumed to himself under the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, all powers vested by or under the said Act in the Provincial Legislature; 26 Geo. 5, ch. 2.

NOW, THEREFORE, in exercise of the said powers, the Governor of Bombay is pleased to make the following Act:—

1. This Act may be called the Bombay Ferries (Amendment) Act, 1942. Short title.

2. In the long title and preamble of the Bombay Ferries Act, 1868, hereinafter called "the said Act", after the word "ferries" the words "and inland vessels" shall be inserted. Bom. II of 1868. Amendment of long title and preamble of Bom. II of 1868.

3. Section 14 of the said Act shall be deleted. Deletion of section 14 of Bom. II of 1868.

4. For section 14A of the said Act, the following shall be substituted, namely:— Substitution of new section 14A for section 14A of Bom. II of 1868.

"14A. (*1*) No person shall, without a special license granted by an officer empowered by the Provincial Government in this behalf, convey for hire any passenger, animal, goods or other thing in any vessel on any river, stream, creek, tank, lake or other collection of water affording passage for a vessel between two points both of which are less than three miles distant from a bridge at which under the provisions of any law for the time being in force a toll is leviable on persons, animals, goods or other things Penalty for conveying passenger etc. along river etc. near toll bridge.

(2) Whoever contravenes the provisions of sub-section (1) shall on conviction be punishable with fine which may extend to five hundred rupees."

Amendment of section 14B of Bom. II of 1868.

5. In section 14B of the said Act—

(1) in sub-section (1) for the words beginning with the words " for hire " and ending with the words " ferry boat " the following shall be substituted, namely :—

" whether for hire or not, on any river, stream, creek, tank, lake or other collection of water affording passage for a vessel any passenger, animal, goods or other thing in any vessel,";

(2) in sub-section (2) for the word " boat " the word " vessel " shall be substituted.

Insertion of new sections 14C, 14D, 14E, 14F and 14G in Bom. II of 1868.

6. After section 14B of the said Act, the following new sections shall be inserted, namely :—

License required to ply any vessel on any river etc.

" 14C. No person shall ply any vessel on any river, stream, creek, tank, lake or other collection of water affording passage for a vessel, whether for hire or not, except under a license granted by an officer empowered by the Provincial Government in this behalf and except in accordance with the provisions of this Act, the rules, regulations and orders made thereunder and the conditions of such license :

Provided that the Provincial Government may, by notification in the Official Gazette, exempt from the operation of this section such vessels or class of vessels as may be specified in such notification.

Inspection of vessels and suspension of the license if vessels are not seaworthy etc.

14D. Any Magistrate or Police Officer, not below the rank of a Sub-Inspector, or any officer specially empowered by the Provincial Government in this behalf may board and inspect any vessel for the purpose of satisfying himself that the provisions of this Act, the rules, regulations and orders made thereunder and the

conditions of the license issued in respect of such vessel are duly observed. If such officer is of the opinion that the vessel is not seaworthy or is insufficiently equipped or is in such a condition that its plying may cause danger to human life or safety, he may suspend the license issued in respect of such vessel and such vessel shall not thereafter be plied until the order suspending the license has been cancelled or a fresh license has been issued in respect of such vessel.

Power to prohibit plying of vessels to avert any accident and to requisition vessels etc.

14E. (*1*) If any Magistrate, or any Police Officer, not below the rank of a Sub-Inspector, or any officer of the Public Works Department, not below the rank of an Assistant or Deputy Engineer or any officer specially empowered by the Provincial Government in this behalf, is at any time of the opinion that in order to avert any accident or danger to human life or safety it is necessary to take action under this sub-section, such Magistrate or officer may by order prohibit the plying of any vessel, or of any class of vessels or of vessels generally on any river, stream, creek, tank, lake or other collection of water, affording passage for a vessel, within the limits of his jurisdiction, during such period as may be specified in the order.

(*2*) Any such Magistrate or officer may by order, within the limits of his jurisdiction, for the purpose of saving any human life or property, requisition the use of any vessel or other property likely to be useful in effecting rescue for such period as may be specified in the order. When any Magistrate or officer requisitions the use of any vessel or other property for any period, there shall be paid to the person deprived of it for the period such amount of compensation as may be determined by the Magistrate or officer. The decision of the Magistrate or the officer regarding the amount of compensation and the person to whom such compensation is payable shall be final.

Penalty for breach of the provisions of the Act, rules, regulations and orders made thereunder and the conditions of the license granted under section 14C.

14F. Any person who contravenes any of the provisions of this Act or of the rules, regulations and orders made thereunder or of the conditions of any license granted under section 14C, shall on conviction, if no other penalty is provided in the Act for such contravention, be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

Both the owner and the person in charge to be liable for any breach.

14G. If any of the provisions of this Act, or of the rules, regulations or orders made thereunder or of the conditions of the license granted under section 14C are contravened in respect of any vessel, both the owner and the person in charge of such vessel shall be deemed to have contravened such provisions and shall be personally liable for the same."

Insertion of new sections 17A, 17B and 17C in Bom. II of 1868.

7. After section 17 of the said Act, the following new sections shall be inserted, namely :—

Rules and regulations.

"17A. (*1*) The Provincial Government may, after previous publication, make rules for the purpose of carrying out the provisions of this Act.

(*2*) In particular and without prejudice to the generality of the foregoing provision, such rules may be made for all or any of the following purposes, namely :—

(*a*) licensing and regulating vessels, plying, whether for hire or not, on any river, stream, creek, tank, lake or other collection of water affording passage for a vessel, and prescribing the officers by whom and the conditions on which licenses for plying such vessels may be granted, suspended or revoked and the fees payable in respect of such licenses ;

(*b*) determining the number of passengers, carts, carriages or animals or the quantity of goods or other things that may be carried in such vessels ;

(*c*) regulating the carriage and exhibition of lights by such vessels ;

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(*d*) prescribing the fares which may be charged for the carriage of passengers, animals, goods, or other things in such vessels;

(*e*) regulating the conduct of passengers in such vessels;

(*f*) prescribing the equipment and the number of the crew which must be on board any such vessel when it is plying; and

(*g*) generally for securing the safe, speedy and convenient carriage and landing of passengers and cargo in such vessels.

(*3*) The District Magistrate may, from time to time, make regulations, not inconsistent with the provisions of this Act and the rules thereunder—

(*a*) regulating the plying of vessels on any river, stream, creek, tank, lake or other collection of water affording passage for a vessel, within the limits of his jurisdiction, and

(*b*) for securing the safe, speedy and convenient carriage and landing of passengers in such vessels.

Definition of "vessel".

17B. In this Act, "vessel" shall include anything made for the conveyance by water of human beings, animals or property.

Provisions of sections 14A to 14G and 17A and 17B not applicable in certain cases.

17C. Nothing in sections 14A to 14G and 17A and 17B shall apply in respect of any vessel plying on sea or on tidal waters or in any major port, or in respect of any inland steam-vessel as defined in sub-section (*l*) of section 2 of the Inland Steam-vessels Act, 1917, or in respect of any vessel plying under a license issued in exercise of the powers conferred by section 6 of the Indian Ports Act, 1908."

I of 1917.

XV of 1908.

Amendment of section 18 of Bom. II of 1868.

8. In section 18 of the said Act, after the word "Ferries" the words "and Inland Vessels" shall be inserted.

STATEMENT.

In recent years there have been some serious accidents to ferries and other craft plying in inland waters. The most serious of these was the boating accident at Surat on the 12th August 1938 which involved a loss of nearly 80 lives. The Committee appointed by Government to investigate the causes of this tragedy made various recommendations to prevent a recurrence of such accidents. The proposed amendments to the Act aim at instituting better control over vessels plying on any river, stream, creek, tank, lake or other collection of water affording passage for a vessel, so as to prevent the recurrence of such accidents as far as possible. They also provide for certain consequential and other minor amendments.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.